



TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director

DATE: September 8, 2009

SUBJECT: BZA Application 17961- Request filed by Hunton & Williams LLP for two **special exceptions** to permit a private trade school, and to reduce the number of off-street parking spaces, proposed by the Center for Digital Imaging Arts at Boston University for 1055 Thomas Jefferson Street, N.W.

APPLICATION

Application of Center for Digital Imaging Arts at Boston University for a:

1. **Special Exception pursuant to § 912 of 11 DCMR** to permit a trade school; and a
2. **Special exception pursuant to § 2108.1 of Title 11 DCMR** to reduce the minimum off-street parking requirement by 24 percent

for a property located on the east side of Thomas Jefferson Street, N.W., the west side of 30th Street and the south side of the C and O Canal.

SUMMARY RECOMMENDATION

The Office of Planning recommends **APPROVAL** of the application.

SITE AND AREA DESCRIPTION

Square:	1191	Lot:	71	Quadrant:	North West
Area:	44,123 SF	Lot Width:	227 feet	Zone:	W-3
Historic District:	Georgetown	Public Alley:	None	Improvements:	6-story office building

The subject property is improved with a six-story office building known as The Foundry. It was constructed in 1975, including a 323-space publicly accessible parking garage located beneath the building, with access from 30th Street, N.W. The proposed use would be located on the lower-level mezzanine, in what was formerly occupied by a movie theater.

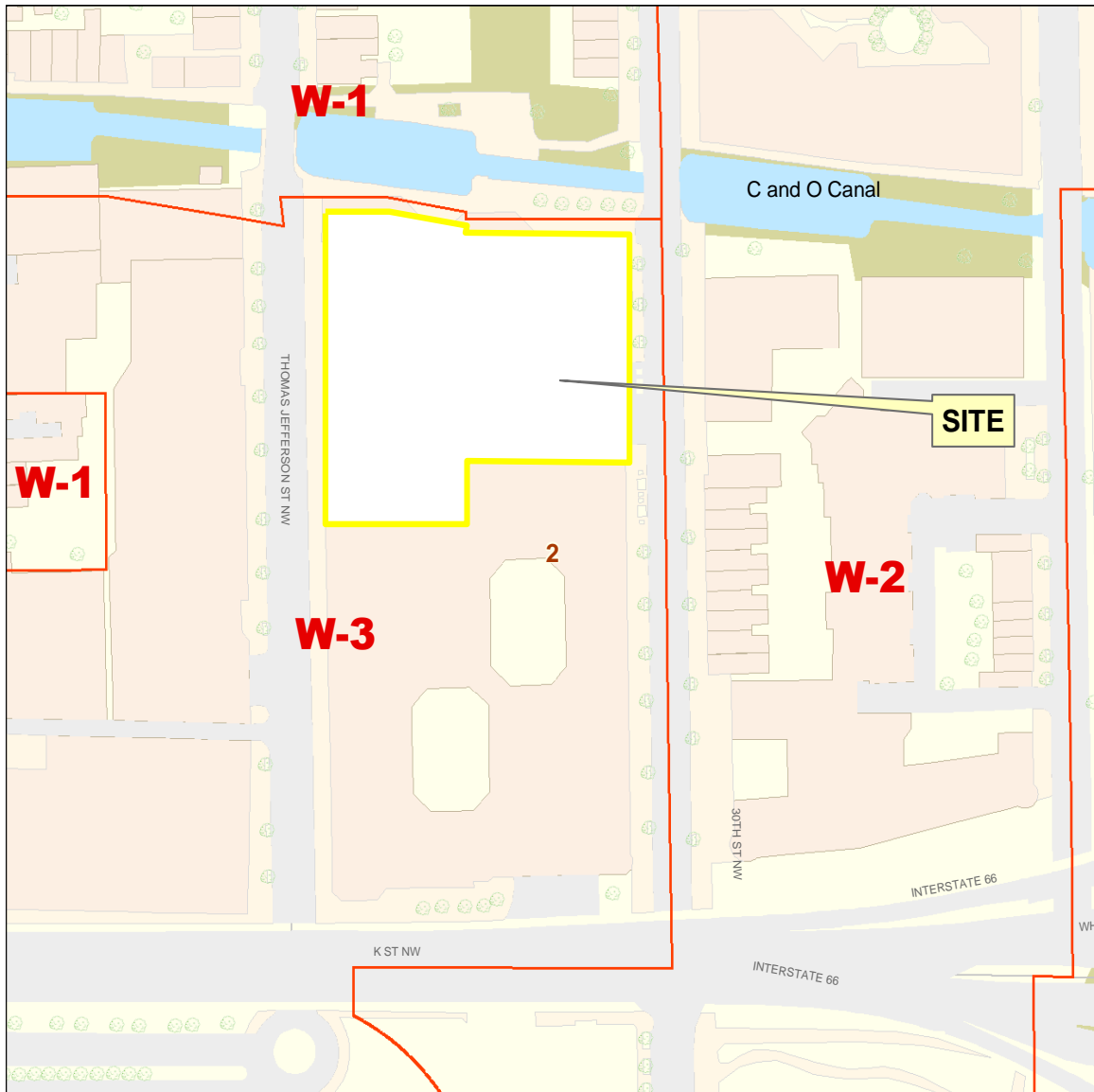
Surrounding Properties:

North:	Across the C & O Canal, row houses, offices and a hotel.
South and West:	Office buildings.
East:	Across 30 th Street, offices and row houses.

Zone District:

W-3: *"The purpose of the Waterfront Districts is to encourage a diversity of compatible land uses at various densities, including combinations of residential, offices, retail, recreational, and other miscellaneous uses."* (§ 900.4)





Vicinity Map

HISTORY

In 2007 a Certificate of Occupancy permit was incorrectly issued to the applicant as “office space” for the operation of the trade school. This error was discovered in 2009 when the applicant applied for a building permit to construct administrative offices. A one-year temporary Certificate of Occupancy was then issued to the applicant, pending review of the application by the Board of Zoning Adjustment.

PROJECT DESCRIPTION

The applicant proposes to operate a trade school specializing in photography, filmmaking, digital arts and web site design for post-high school students within a 14,684 square foot space located on the mezzanine level of the building. The applicant also proposes to lease 13 of the garage parking spaces within the building. Twelve of the parking spaces are included in the school’s current lease and the thirteenth would

be leased separately. All of the parking spaces would be located within the building. The applicant's lease expires on September 16, 2017.

The school has a maximum enrollment of 182 students during the fall and spring semesters. During the last school year 62 were full-time students and 116 attended part-time. Sixty-six of the part-time students attended classes on Monday and Wednesday evenings and during the day on Saturdays, and the remaining 54 attended classes on Tuesday and Thursday evenings and during the day on Saturdays. A total of 20 faculty members are employed by the school, four of which are full time.

The hours of operation are Monday through Friday, 8:30 a.m. to 4:30 p.m. and 6:30 to 9:30 p.m., and Saturdays from 9:00 a.m. to 5:00 p.m.

RELIEF REQUESTED:

Special Exception pursuant to § 912– Private Schools and Trade Schools

Section 912 of the Zoning Regulations sets forth the specific criteria under which trade schools may be permitted within a waterfront district. Those provisions are as follows:

912.2 The facility shall be designed to enhance the visual and recreational opportunities offered by the Waterfront.

The trade school requests permission to locate as a tenant within the lower mezzanine level of an existing office building. No alterations to the exterior of the building are proposed, and the school has no exhibits that are open to the public. However, students and faculty have the opportunity to patronize local businesses during the course of their lunch hours, in support of local eateries and restaurants by the waterfront.

912.3 The use shall be designed and located so that it is not likely to become objectionable because of noise, traffic, number of students, or other conditions.

The use would not be likely to become objectionable because of noise, traffic or number of students. It is a small school, located within an existing brick office building, effectively soundproofing the use from the outside. This space was originally constructed as a movie theater. No activities would occur outside of the building.

No more than 140 students and faculty members would be expected to be on-site at any one time. A survey conducted by the applicant found that 61 percent of the students, or almost two-thirds of the student population, do not drive to the site. Approximately ten percent of the faculty does not drive to the site. The building has extensive parking available to the public.

The hours of operation of the school are Monday through Friday, 8:30 a.m. to 4:30 p.m. and 6:30 to 9:30 p.m., and Saturdays from 9:00 a.m. to 5:00 p.m. These hours are typical of what would otherwise be expected of an office or commercial business within the building or surrounding area.

Special Exception pursuant to § 2108 – Reduction of Parking Spaces

Section 2101.1 requires 17 off-street parking spaces for the proposed use, while the applicant proposes to provide 13 off-street parking spaces, a reduction of 24 percent. Section 2108.1 empowers the Board to reduce parking by up to 25 percent, subject to the provisions of § 2108.3.

(a) *Nature and location of the structure;*

The existing six-story office building is located on the east side of Thomas Jefferson Street, N.W., and the west side of the 30th Street. Other uses within the building include office space for businesses and organizations. The building has a parking requirement of approximately 120 and contains a 323 space parking garage, or more than 200 excess parking spaces.

To the north, across the C & O Canal, are row houses, commercial business and a hotel. To the south and west, across Thomas Jefferson Street, are offices and retail space. To the east, across 30th Street, are offices and row houses.

(b) *Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;*

The maximum number of students and faculty members expected to be in attendance at the school at any one time is 140.

(c) *Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood;*

The application indicates that a maximum of 38 percent, or just over one-third of the students and faculty, are expected to drive to the school. The building contains a 323 space parking garage, but has a parking requirement of only 120, resulting in a surplus of over 200 spaces. These spaces are available to the public on either a daily or monthly basis.

The location of the school was originally designed as a movie theater, and the parking garage designed to accommodate the traffic it would generate. The trade school now occupies the movie theater space, but requires much less parking. With a parking requirement of 17, the amount of traffic generated and the impact of the request to reduce the number from 17 to 13 would be negligible.

(d) *Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the building or structure is in use; and*

The parking garage located within the building has a surplus of approximately 200 spaces, significantly in excess of the parking reduction of four spaces requested by the applicant. This commercial garage, accessible from 30th Street, is available when the building is in use and the school is in session.

(e) *Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area or a ride-sharing program approved by the D.C. Department of Transportation.*

The subject property is located less than one block from the 31, 32, 36 and 38B and D5 Metrobus lines, the Yellow Circulator route, and the Georgetown MetroConnector M Street line, all of which stop at the corner of Thomas Jefferson Street and M Street. The G2 Metrobus line runs on O Street, three blocks from the site, for a total of eight bus lines within a three block radius. Although the site is not located within close proximity to a Metrorail station, the MetroConnector runs between the Dupont Circle and Rosslyn Metrorail stations.

AGENCY COMMENTS

District Department of Transportation (DDOT) had no comments on the application.

The Historic Preservation Office had no comments on the application.

COMMUNITY COMMENTS

The applicant informed the Office of Planning that **ANC 2E**, at their regularly scheduled meeting of August 31, 2009, voted to support the application, subject to three conditions:

1. No more than seven (7) students/staff will use on-street parking meters at any one time in Georgetown.
2. Employees will be allowed to establish pre-tax transportation accounts to encourage use of public transit.
3. The ANC's approval is limited to one year at which time (September 2010) it will again review the applicant's parking situation.

CONCLUSION

The Office of Planning has reviewed the application in terms of the property's zoning, the intensity of use, the character of the neighborhood and the standards for special exception and variance relief. It is the Office of Planning's conclusion that the applicant has satisfactorily met the criteria for special exception relief of §§ 912 and 2108.1 and "*that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map*". (§ 3103.2)

Therefore, the Office of Planning recommends **APPROVAL** of the following:

1. **Special Exception pursuant to 11 DCMR § 912** to permit a trade school; and a
2. **Special Exception pursuant to § 2108.1 of Title 11 DCMR**, to reduce the minimum off-street parking requirement by 24 percent.

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Case Manager: Stephen J. Mordfin, AICP